

BOIES SCHILLER FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: 702.382.7300
 Facsimile: 702.382.2755
 rpocker@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 WILLIAM ISAACSON (*pro hac vice*)
 KAREN DUNN (*pro hac vice*)
 1401 New York Avenue, NW, 11th Floor
 Washington, DC 20005
 Telephone: (202) 237-2727
 Facsimile: (202) 237-6131
 wisaacson@bsflfp.com
 kdunn@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 STEVEN C. HOLTZMAN (*pro hac vice*)
 BEKO O. REBLITZ-RICHARDSON
 (*pro hac vice*)
 1999 Harrison Street, Suite 900
 Oakland, CA 94612
 Telephone: 510.874.1000
 Facsimile: 510.874.1460
 sholtzman@bsflfp.com
 brichardson@bsflfp.com

MORGAN, LEWIS & BOCKIUS LLP
 BENJAMIN P. SMITH (*pro hac vice*)
 JOHN A. POLITO (*pro hac vice*)
 SHARON R. SMITH (*pro hac vice*)
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Telephone: 415.442.1000
 Facsimile: 415.442.1001
 benjamin.smith@morganlewis.com
 john.polito@morganlewis.com
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle
 International Corp.*

GIBSON, DUNN & CRUTCHER LLP
 MARK A. PERRY (*pro hac vice*)
 1050 Connecticut Avenue, N.W.
 Washington, DC 11101
 Telephone: 202.955.8500
 mperry@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
 JEFFREY T. THOMAS (*pro hac vice*)
 BLAINE H. EVANSON (*pro hac vice*)
 JOSEPH A. GORMAN (*pro hac vice*)
 CASEY J. MCCracken (*pro hac vice*)
 3161 Michelson Drive
 Irvine, CA 92612-4412
 Telephone: 949.451.3800
 bevanson@gibsondunn.com
 jgorman@gibsondunn.com
 cmccracken@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
 SAMUEL G. LIVERSIDGE (*pro hac vice*)
 ERIC D. VANDEVELDE (*pro hac vice*)
 333 South Grand Avenue
 Los Angeles, CA 90071-3197
 Telephone: (213) 229-7000
 sliversidge@gibsondunn.com
 evandeveld@ibsondunn.com

RIMINI STREET, INC.
 DANIEL B. WINSLOW (*pro hac vice*)
 6601 Koll Center Parkway, Suite 300
 Pleasanton, CA 94566
 Telephone: (925) 264-7736
 dwinslow@riministreet.com

RIMINI STREET, INC.
 JOHN P. REILLY (*pro hac vice*)
 3993 Howard Hughes Parkway, Suite 500
 Las Vegas, NV 89169
 Telephone: (336) 908-6961
 jreilly@riministreet.com

HOWARD & HOWARD ATTORNEYS
 PLLC
 W. WEST ALLEN (Nevada Bar No. 5566)
 3800 Howard Hughes Parkway, Suite 1000
 Las Vegas, NV 89169
 Telephone: (702) 667-4843
 wwa@h2law.com

*Attorneys for Defendants Rimini Street, Inc.
 and Seth Ravin.*

UNITED STATE DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
ORACLE AMERICA, INC.; a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
and SETH RAVIN, an individual,

Defendants.

CASE NO. 2:10-CV-0106-LRH-VCF

JOINT STATEMENT RE: COSTS

JOINT STATEMENT RE: COSTS

1 The parties submit the following joint statement in response to the Court’s June 10, 2019
2 Order on Mandate (ECF No. 1229) regarding “what costs, if any, Oracle is entitled” to recover in
3 view of the Supreme Court’s decision in *Rimini Street, Inc. v. Oracle USA, Inc.*, 139 S. Ct. 873
4 (2019).

5 Applying then-applicable Ninth Circuit precedent, this Court previously concluded that,
6 under 17 U.S.C. § 505, Oracle was entitled to \$12,774,550.26 in nontaxable expenses. *See* ECF
7 No. 1049 at 21–22; ECF No. 1076 (final judgment). Rimini paid the nontaxable expenses award,
8 subject to repayment with interest following a successful appeal. *See* ECF Nos. 1096, 1097. The
9 Ninth Circuit affirmed the nontaxable expenses award (*Oracle USA, Inc. v. Rimini Street, Inc.*, 879
10 F.3d 948, 965–66 (9th Cir. 2018)), but the Supreme Court reversed, holding that Section 505’s
11 “authorization for the award of ‘full costs’ ... covers only the six categories specified in the general
12 costs statute, codified at §§ 1821 and 1920” (*Rimini*, 139 S. Ct. at 875). No party contended that
13 any portion of the \$12,774,550.26 in nontaxable expenses at issue in the Supreme Court fell within
14 any of those six categories.

15 On April 5, 2019, Oracle complied with the Supreme Court’s decision and mandate by
16 repaying the nontaxable expenses that Rimini previously paid, plus applicable interest. The parties
17 have therefore resolved the issue addressed by the Supreme Court. The parties agree that the
18 Supreme Court’s decision did not disturb this Court’s award of taxable costs to Oracle, as modified
19 by the Ninth Circuit, and did not address this Court’s award of attorneys’ fees to Oracle. 879 F.3d
20 at 965 (reducing award of taxable costs to Oracle to \$3,435,281.25); ECF No. 1164 at 17 (awarding
21 Oracle \$28,502,246.40 in attorneys’ fees). The parties agree there is no need for additional motion
22 practice or court orders concerning costs or expenses in this case at this time.

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24 Dated: June 24, 2019
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1 MORGAN, LEWIS, & BOCKIUS LLP

GIBSON, DUNN & CRUTCHER LLP

2
3 By: /s/ John A. Polito
John A. Polito
4 *Attorneys for Plaintiffs Oracle USA, Inc.,*
Oracle America, Inc. and Oracle
5 *International Corporation*

By: /s/ Mark A. Perry
Mark A. Perry
6 *Attorneys for Defendants Rimini*
Street, Inc. and Seth Ravin.

ATTESTATION OF FILER

The signatories to this document are John A. Polito and me, and I have obtained Mr. Polito's concurrence to file this document on his behalf.

Dated: June 24, 2019

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Mark A. Perry
Mark A. Perry

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: June 24, 2019

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Mark A. Perry
Mark A. Perry